D.B. CIVIL SPECIAL APPEAL (W) NO.513/2007
State of Rajasthan & Ors. Vs. Pankaj Kumar Saraswat & Anr.

Date : 21.5.2007

PRESENT

HON'BLE MR. JUSTICE RAJESH BALIA
HON'BLE MR. JUSTICE BHANWAROO KHAN

Mr. L.R. Upadhyay, Dy. Government Advocate.
Mr. Sanjeet Purohit for the respondents.

The issue raised in this case is identical to the issue raised in D.B. Special Appeal (W) No.168/2007 which relates to attaining the status of erstwhile employee to Gram Panchayat who has been absorbed on being declared surplus because of abolition of the post of Octori Nakedar. Merely because at the time of absorption his remuneration was fixed at the consolidated amount for two years and thereafter he was to be fixed in the pay scale applicable to the post, he has been sought to be treated by impugned order as contract employee, denying him the benefit of regular pay scale which is not warranted.

This Court in the aforesaid appeal has not sustained the contention of the appellant in this regard and the appeal has been dismissed.

Accordingly, this appeal also fails and is hereby dismissed.

[BHANWAROO KHAN], J. [RAJESH BALIA], J.

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